

REMARKS

Claims 1-13 are in the application.

The Office Action objected to the specification, namely the lack of proper antecedent basis for the "infrared camera" of claim 7. This objection is traversed.

Contrary to the Office Actions' objection, support for Applicant's claimed infrared camera may be found in the specification at least at page 9, lines 6-7 where it is disclosed that "video feeds 95 may employ IR or low light cameras". Those skilled in the pertinent art of the present application would surely understand and recognize the abbreviation "IR" for infrared. Thus, there is in fact proper antecedent basis provided in the specification for the term infrared camera recited in claim 7.

Accordingly, Applicant respectfully submits that proper antecedent basis for claim 7 is provided in the application and requests the reconsideration and withdrawal of the objection to the specification.

The Office Action rejected claims 1, 2, and 8 under 35 USC 103(a) as being unpatentable over Rabowsky in view of Ruybal et al. (hereinafter Ruybal) and further in view of Chaum et al. (hereinafter, Chaum). Applicant respectfully traverses this rejection.

It is first noted that the cited and relied upon Ruybal discloses an interactive theater network system (as admitted by the Office Action). The interactive network system of Ruybal is disclosed as being used to "conduct interactive events such as business meetings, seminars, research sessions, training sessions, conferences, polling, sports viewing, town hall meetings, awards presentations, multi-media business presentations, interactive distance

learning, etc. Thus, theater network system 10 has essentially unlimited applications in applications requiring interactive communication between large audiences from around the country and beyond.” (emphasis add, see Ruybal, col. 3, ln. 34-41) Ruybal explicitly discloses an interactive network system including an interactive video return system 28 and an interactive audio system. Ruybal explicitly discloses using interactive video return and audio systems in the context and applications requiring interactive audience communication.

Contrary to the stated requirements of Ruybal, Applicant’s claimed system of claims 1, 2, and 8 do not recite or require interactive communication between dispersed audiences. In fact, Applicant claims “a video camera for monitoring and generating a monitoring video signal of the audience without interaction from the audience”. (See claim 1) The video camera monitors the audience and generates the monitoring signal. There is no claimed interactive action recited (i.e., required) by the audience.

Therefore, Applicant respectfully submits that Ruybal does not in fact disclose or suggest that for which is claimed by Applicant. Namely, Ruybal fails to disclose or suggest Applicant’s claimed video camera for monitoring and generating a monitoring video signal of the audience without interaction from the audience.

Furthermore, Ruybal appears to teach away from using the interactive video return system therein in an application where the audience does not provide an active interaction with the system. This is the case since Ruybal repeatedly discloses explicit examples of required interactive communication between dispersed audiences and remote locations.

Thus, even in the event that the disclosure of Ruybal were somehow combined with the cited and relied upon disclosures of Rabowsky and Chaum as alleged by the Office Action (not admitted as feasible by Applicant), it is not seen

how Applicant's claims 1, 2, and 8 are obvious since the alleged combination would still fail to at least disclose or suggest Applicant's claimed video camera for monitoring and generating a monitoring video signal of the audience without interaction from the audience.

Accordingly, Applicant respectfully submits that the cited and relied upon combination of Rabowsky, Ruybal, and Chaum fail to render claim 1 obvious for at least the reasons stated hereinabove. Claims 2 and 8 depend from claim 1. It is respectfully submitted that claims 2 and 8 are patentable over the cited combination of references for at least the reasons stated above regarding claim 1. Therefore, the reconsideration and withdrawal of the 35 USC 103(a) rejection of claims 1, 2, and 8 are requested, as is the allowance of same.

The 35 USC 103(a) rejections of claims 3, 4-6, 8 (alternate rejection), 9-10, and 11 have as a basis thereof the cited and relied upon combination of references discussed above regarding and as applied to claim 1. Inasmuch as the basis for the rejection of these claims relies on the Rabowsky/Ruybal/Chaum combination shown to be insufficient to properly support the 35 USC 103(a) rejection of claim 1, Applicant respectfully submits that claims 3, 4-6, 8 (alternate rejection), 9-10, and 11 are also patentable.

Accordingly, the reconsideration and withdrawal of the 35 USC 103(a) rejection of claims 3, 4-6, 8 (alternate rejection), 9-10, and 11 are requested, as is the allowance of same.

Claims 12 and 13 were rejected by the Office Action under 35 USC 103(a) as being unpatentable over Rabowsky in view of Son et al. (hereinafter, Son). These rejections are traversed.

In view of the amendment of claims 12 and 13, as submitted herewith, it is respectfully submitted that the amendment of claims 12 and 13 obviates the

rejections of record. As discussed with respect to claim 1, neither Rabowsky nor any of the other cited references disclose or suggest a video camera for monitoring and generating a monitoring video signal of the audience without interaction from the audience. Son does not disclose or suggest this aspect of claims 12 and 13.

Therefore, the reconsideration and withdrawal of the 35 USC 103(a) rejections of claims 12 and 13 are requested, as is the allowance of same.

No new matter has been added as a result of the amendments made herein.

In summary, Applicant respectfully submits that all of claims 1-13 are patentable over the cited and relied upon references. Therefore, the allowance of claims 1-13 is hereby earnestly solicited.

Dated: 3-5-04

By: 

Paul D. Greeley, Esq.
Reg. No. 31,019
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901
Telephone: (203) 327-4500
Facsimile: (203) 327-6401